



MEMO ENDOCE

United States Attorney
Southern District of New York

United States Attorney's Office
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October 12, 2023

BY ECF & EMAIL

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
The Hon. Charles L. Briant Jr.
Federal Building and United States Courthouse
White Plains, New York 10601

Re: *United States v. Isaiah Douglas*, 23 Cr. 485 (KMK)

Dear Judge Karas:

The Government respectfully requests that the Court stay an October 11, 2023 release order issued by the Hon. Andrew E. Krause, United States Magistrate Judge for the Southern District of New York, through October 27, 2023. The Government also requests that the Court exclude time through that same date under the Speedy Trial Act.

The defendant was arraigned on the Indictment before Judge Krause on October 11, 2023. Judge Krause then held a bail hearing. At the conclusion of that hearing, Judge Krause ordered the defendant bailed subject to various conditions. Certain of those conditions—most notably, an unsecured bond—must be completed before the defendant is released. The Government is now seeking a review of Judge Krause's release order before Your Honor under 18 U.S.C. § 3145(a)(1). That review hearing is scheduled for October 27, 2023.

To ensure that the Government's motion is heard before the defendant is released, the Government respectfully requests that the Court stay Judge Krause's order through October 27, 2023. During that period, the Government will nevertheless work with defense counsel to complete the conditions that Judge Krause set on the defendant's release, such that there will be no unnecessary delay should Your Honor affirm the release order.

In addition, Judge Krause excluded time through October 25, 2023. The Government seeks to exclude the additional time between that date and the October 27 proceeding. The exclusion of that additional time outweighs the best interests of the public and the defendant in a speedy trial.

See 18 U.S.C. § 3161(h)(7)(A). Such an exclusion would permit the defense time to review discovery and would give the parties more time to discuss a pre-trial disposition of this matter.

The Government understands that the defense does not object to these requests.

Both requests are granted. The bail decision by Judge Krause is stayed until the 10/27/23 hearing. Also, time is excluded, in the interests of justice, until 10/27/23 to allow the Parties to discuss the conditions of bail and to allow the Government to produce and counsel for Mr. Douglas to review the discovery. The interests of justice from this exclusion outweigh the public's and Mr. Douglas' interests in a speedy trial. See 18 U.S.C. Section 3161(h)(7)(A).

So Ordered

10/12/23

Respectfully submitted,

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